

**STATE BOARD OF MIDWIFERY**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 7/27/2012**

**BOARD MEMBERS PRESENT:** Barbara N Rawlings - Chair  
Paula Wiens  
Cathy Ward  
Clarence William Blea, M.D.

**BOARD MEMBERS ABSENT:** Kyndal May Verveckken

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, Legal Counsel  
Eric Nelson, Board Prosecutor  
Mary Miles, Technical Records Specialist I

**OTHERS PRESENT:** Kris Ellis, Benton & Ellis  
Holly Sikha

The meeting was called to order at 8:35 AM MDT by Barbara N Rawlings.

**APPROVAL OF MINUTES**

A motion was made by Ms. Ward to approve the minutes of March 23, 2012.  
Seconded by Ms. Wiens. Motion carried.

**DISCIPLINE**

Mr. Nelson presented a memorandum regarding case numbers MID-2012-5 and MID-2012-3. Ms. Ward recused herself from the discussion of MID-2012-3. After discussion, the Board gave recommendations for appropriate discipline.

A motion was made by Dr. Blea to close case number MID-2012-5. Seconded by Ms. Ward, motion carried.

Mr. Nelson presented a Stipulation and Consent Order in case MID-2012-2.

A motion was made by Dr. Blea to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. Seconded by Ms. Wiens, and opposed by Ms. Ward. Motion carried.

A motion was made Dr. Blea to authorize Mr. Ellsworth to enter default orders on behalf of the Board. Seconded by Ms. Wiens, motion carried

### **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

Mr. Ellsworth presented the Findings of Fact, Conclusions of Law and Recommended Order for cases MID-2012-4 and MID-2012-6 for Board discussion. Ms. Wiens recused herself from the discussion.

A motion was made by Ms. Ward to make two typographical corrections in the Findings of Fact, Conclusions of Law and Recommended Order. Seconded by Dr. Blea, motion carried.

A motion was made by Dr. Blea to accept the hearing officer's Findings of Fact, Conclusions of Law and Recommended Order with the corrections; and to award the costs and fees along with fines of \$500 per violation and to revoke the licenses and to authorize the Board Chair to sign final orders for cases MID-2012-4 and MID-2012-6. Seconded by Ms. Ward, motion carried.

### **FINANCIAL REPORT**

Ms. Hall gave the financial report. The report indicated that the Board has a cash balance of (\$54,514.76) as of June 30, 2012.

### **FY 2013 RENEWAL CONTRACT**

Ms. Hall presented the 2013 FY Renewal Contract to the Board members.

A motion was made by Ms. Wiens to approve the FY 2013 Renewal Contract and authorize the Board Chair to sign. Seconded by Dr. Blea, motion carried.

### **LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She stated that the Massage Therapy Board is now being served by the Bureau, so going forward shared expenses will be distributed among 29 Boards rather than 28. The Bureau has been approved for a new system which may have a one time cost for the Board. There may need to be a possible fee increase; Ms. Hall will monitor the Board's financial situation to see if a fee increase is needed.

## **SUNSET REVIEW**

The Board discussed possible rule changes for the 2014 Legislature when the Board has its sunset review. Kris Ellis from Benton and Ellis carried the original bill and will be involved in the sunset review in the 2014 Legislative Session. A subcommittee of the Board and Ms. Ellis will work together on possible changes to the law. Ms. Ellis will coordinate the meetings and include representation from the Board.

Ms. Ward nominated Ms. Rawlings to work with Ms. Ellis on the sunset review. Seconded by Ms. Wiens. Motion carried.

## **BIRTH STATISTIC REPORT**

The Board reviewed the Birth Statistics Report. The report will be presented to the Board at its first meeting each year and will be part of the sunset review.

## **CONTINUING EDUCATION**

The Board discussed acceptable documentation for proof of attendance of continuing education.

A motion was made by Ms. Ward that a certificate or validation is required for proof of attendance for continuing education classes. Seconded by Dr. Blea, motion carried.

## **EXECUTIVE SESSION**

A motion was made by Ms. Wiens that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Dr. Blea. The vote was: Ms. Wiens, aye; Dr. Blea, aye; Ms. Ward, aye; and Ms. Rawlings, aye. Motion carried.

It was moved by Ms. Wiens to come out of executive session. It was seconded by Ms. Ward. The vote was: Ms. Wiens, aye; Ms. Ward, aye; and Ms. Rawlings, aye. Motion carried.

## **APPLICATIONS**

The Board reviewed the application documents for applicant number 901121638 and determined the requirements in Idaho Code 54-5507 have not been met for licensure, therefore her application was denied.

**NEXT MEETING** will be scheduled when needed.

## ADJOURNMENT

A motion was made by Ms. Ward to adjourn the meeting at 11:40 pm. It was seconded by Ms. Wiens. Motion carried.

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Barbara N Rawlings, Chair

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Paula Wiens

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Cathy Ward

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Clarence William Blea M.D.

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Kyndal May Verveckken

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Tana Cory, Bureau Chief